

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LeAnne Feehan and John Feehan,

Court File No.: 0:15-CV-3853 (PJS/JSM)

Plaintiffs,

v.

**PLAINTIFFS' MOTION FOR
REMAND**

Wal-Mart Stores Inc., d/b/a Walmart,


Defendant.

Pursuant to 28 U.S.C. §1447 and Fed. R. Civ. P. 12(h)(3), Plaintiffs LeAnne Feehan and John Feehan ("Plaintiffs") hereby move this court for an Order remanding this action to the Minnesota State District Court, Tenth Judicial District, County of Washington, because Defendant Wal-Mart Stores Inc., d/b/a Walmart, ("Walmart") improperly removed under 28 U.S.C. §1441 (b). Plaintiffs' respectfully submit Walmart has not met its burden of establishing a basis for this Court's diversity jurisdiction, and that diversity jurisdiction does not exist.

This motion is supported by all of the files, records, and proceedings on file, a memorandum of law, declarations and exhibits thereto and the arguments of counsel at the time of hearing.

Dated: November 13, 2015

DUDLEY AND SMITH, P.A.

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